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FEB. 19, 1943

FOOD DISTRIBUTION ADMINISTRATION
UNITED STATES DEPARTMENT OF AGRICULTURE

Chapter XI—Food Distribution Administration

[FDO 22]

PART 1425—CANNED AND PROCESSED FOODS

RESTRICTIONS ON SALE AND DELIVERY

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to insure an adequate supply and efficient distribution of canned and processed foods and to meet war and civilian needs, It is hereby ordered, As follows:

§ 1425.1 Canned and processed foods, allocation and restrictions on sale and delivery—(a) Definitions. (1) "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by the Director.

(2) "Canner" means any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(3) "Processor" means any person other than a canner engaged in the commercial processing of foods to produce a frozen, dried, pickled, preserved, or otherwise nonperishable product.

(4) "Pack" means the total amount (by weight unless otherwise specified) of all grades of any particular food canned by any canner or processed by any processor during any packing season or during a crop year or calendar period specified by the Director as a quota period.

(5) "Government agency" means any officer, board, agency, commission, or government owned or government controlled corporation of the United States specifically designated by the Director.

(6) "Person" means any individual, partnership, corporation, association or other business entity.

(b) *Restrictions.* (1) Each canner and each processor shall set aside for the requirements of government agencies such canned or processed foods packed by him as the Director may from time to time order, without regard to previously existing contracts. All such canned or processed foods so set aside shall, unless and until released, be held for allocation to any government agency by the Director. Orders to set foods aside pursuant to this paragraph (b) (1) may be by general supplementary order

or by written notice by the Director to the individual canner or processor. There shall not be calculated as part of the foods required to be set aside by this paragraph, foods delivered to any government agency when not so allocated to such agency by the Director.

(2) Canned or processed foods required to be set aside for governmental requirements by any other order of the Secretary of Agriculture under Executive Order 9280 or by the Director pursuant to such an order, shall not be required to be set aside by this order.

(3) The Director may allocate canned or processed foods to any government agency by specifically designating such agency as the authorized purchaser thereof, either by letter to the agency, by letter to the canner or processor, or by naming such agency in a general supplementary order. The Director will allocate foods pursuant to this order only to the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Railroad, the Treasury of the United States, the Coast and Geodetic Survey, the Veterans' Administration, the Department of Agriculture, and any agencies of the United States Government for supplies to be delivered to or for the account of the government of any country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and any other agency when the Director shall find that allocation to such agency is directly essential to the war effort.

(4) If he determines that any canned or processed foods set aside pursuant to this order are not required for government agencies, the Director may release such canned or processed foods at any time and may so notify the canner or processor, or he may delegate authority to release such foods to the agency to which he has allocated them.

(5) The Director may issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping, or he may authorize any government agency to issue such specifications.

(c) *Certificates and reports relating to the cans covered by this order—(1) Certificates.* Each canner who purchases any cans to pack any food for governmental use pursuant to this order—

whether such purchase is by contract or on open account order—shall furnish to the can manufacturer, from whom he buys, a certificate, signed by an authorized official, in substantially the form attached hereto as "Exhibit A", which shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture that such canner is familiar with the terms of this order (in its present form or as it may be amended from time to time), and that, during the life of this order, he will not use any cans purchased from such can manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given can manufacturer, need be furnished by a canner to that can manufacturer but no can manufacturer shall be entitled to rely on any such certificates if he knows, or has reason to believe it to be false.

(2) *Reports.* Each canner and each processor shall, within 15 days after he has completed a seasonal pack, or in the instance of a non-seasonal product, at such times as may be prescribed, mail to or file with the Food Distribution Administration, United States Department of Agriculture a report thereof in such form as may be prescribed from time to time by the Director.

(d) *Inspection and grading.* Any canned or processed foods required to be set aside under this order shall be subject to inspection and grading at any time by the Director or by any person or government agency thereto authorized by him.

(e) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, purchases, production and sales, and shall maintain such other records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of canned and processed foods and premises used in his business, and all of his books, records and accounts shall upon request be sub-

mitted to audit and inspection by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(h) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution; United States Department of Agriculture; Washington, D. C. Ref.: FD-22.

(j) *Conservation Order M-86 superseded.* This order supersedes in all respects Conservation Order M-86, as amended (7 F.R. 10326), and supplemented¹, of the War Production Board except that as to violations of said conservation order, as amended and supplemented, or rights accrued, liabilities incurred, or appeals taken under said order, as amended and supplemented, prior to the effective date hereof said Conservation Order M-86, as amended and supplemented, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Conservation Order M-86, as amended and supplemented, shall be considered under paragraph (g) hereof.

(k) *Effective date.* This order shall be effective as of the date of its issuance

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of February 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

¹Supplementary Order M-86b, as amended (7 F.R. 8647). Supplementary Order M-86a, as amended (7 F.R. 9705), Supplementary Order M-86e, as amended (7 F.R. 10327).

EXHIBIT A—CANNER'S CERTIFICATE¹
Certificate Required by paragraph (c) (1) of Food Distribution Order 22. One copy of this certificate is to be delivered to each can

¹Secretary of Agriculture.

manufacturer from whom the canner purchases cans and is to cover all purchases present and future, so long as such order, in its present form or as it may be amended from time to time, remains in effect.

(Applicant's Name)

(Applicant's Address) (Date)

In accordance with paragraph (c) (1) of Food Distribution Order 22, to conserve the supply and direct the distribution of certain canned foods, the undersigned hereby certifies—and this shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture—that the undersigned applicant is familiar with the terms of said Food Distribution Order 22, and any and all amendments thereto, and that said applicant will not use any cans purchased from

(Name of Can Manufacturer)

(Address of Can Manufacturer)

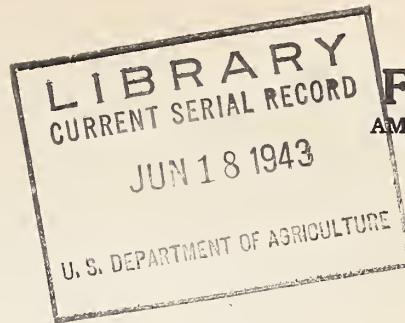
in violation of the terms of said Order and amendments.

(Legal Name of Applicant)
By
(Title of Official Reporting)

Section 35A of the U. S. Criminal Code (18 U.S.C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

[F. R. Doc. 43-2763; Filed, February 19, 1943;
12:38 p. m.]

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FDO 22
AMENDMENT 1
MAY 15, 1943

WAR FOOD ADMINISTRATION

[FDO 22, Amendment 1]

PART 1425—CANNED AND PROCESSED FOODS RESTRICTIONS ON SALE AND DELIVERY OF CANNED AND PROCESSED FOODS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and in order to assure an adequate supply and efficient distribution of canned and processed foods to meet war and essential civilian needs: *It is ordered,*

That Food Distribution Order No. 22 (8 F. R. 2243), issued by the Secretary of Agriculture on February 19, 1943, be, and the same hereby is, amended as follows:

1. By deleting from said Food Distribution Order No. 22 the provisions in § 1425.1 (c) (1).
2. By deleting the "Exhibit A" from the said Food Distribution Order No. 22.
3. By changing the designation of

§ 1425.1 (c) (2) to § 1425.1 (c).

This order shall take effect at 12:01 a. m., e. w. t., May 17, 1943. With respect

to any violation of Food Distribution Order No. 22, prior to the effective time of this amendment, said Food Distribution Order No. 22 shall be deemed to continue to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 15th day of May 1943.

[SEAL] CHESTER C. DAVIS,
War Food Administrator.

Press Release Immediate:
May 19, 1943.

The War Food Administration has today announced Amendment 1 to Food Distribution Order 22, effective May 17. The amendment deletes from the original order the provisions requiring canners to furnish can manufacturers with certificates before obtaining supplies.

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FDO 22-1

FEB. 19, 1943

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FOOD DISTRIBUTION ADMINISTRATION
UNITED STATES DEPARTMENT OF AGRICULTURE

U. S. DEPARTMENT OF AGRICULTURE

[FDO 22-1]

PART 1425—CANNED AND PROCESSED FOODS

CANNED FRUITS AND VEGETABLES

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943, issued under the authority of Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of those orders, *It is hereby ordered*, As follows:

§ 1425.4 Quota restrictions and allocations of canned fruits and vegetables (1942, 1942-43 pack)—(a) Definitions. When used in this order the terms as defined in Food Distribution Order No. 22,¹ shall have the same meaning, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) Quota restrictions. Each canner shall set aside to be delivered for the requirements of government agencies, pursuant to Food Distribution Order No. 22, a quota of fruits and vegetables packed by him at any time in the calendar year 1942 or, when specified in Tables II and III, attached hereto, in 1942-43. Such quota of fruits and vegetables shall be of the kinds and in the percentages set forth in Columns A and B of Tables I, II, and III, attached hereto.

If the type, style, or variety of any such fruit or vegetable is described in Column C, such quota shall be in the type, style, and variety described, but other types, styles or varieties shall be substituted to the extent that those specified in Column C are not packed. To the extent that the canner's production of the first preference grade of such fruit or vegetables specified in Column E is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column F to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column G to complete his quota. To the extent pos-

sible and insofar as compliance with the above grade requirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column D. The balance shall be reserved in the next largest can sizes available in the order of preference specified in Column D.

Any canner who is required to set aside canned goods pursuant to this order shall provide himself with the necessary materials to pack such canned goods in export boxes which may be nailed wooden boxes, weatherproof solid fiber boxes, or wirebound wood boxes, at his option according to specifications attached hereto, except that nailed wooden boxes and weatherproof solid fiber boxes shall not be wired or strapped except as specifically directed by the purchaser.

(c) If any canned foods set aside for the requirements of government agencies have not been purchased within sixty days after the mailing or filing of the report prescribed in paragraph (c)(2) of Food Distribution Order No. 22, or such

other time as the Director may fix, the canner may notify the Director in writing, that if such canned foods are not purchased within sixty days he will no longer hold such foods set aside. If any of such canned food is not purchased within sixty days after the mailing or filing of such notice, and if no further order is issued with respect to it, it shall be deemed released and shall be available for unrestricted sale and distribution.

(d) The report prescribed by paragraph (c)(2) of Food Distribution Order No. 22, shall be given on Form PD-343, Seasonal Pack Report. In the case of products listed in Tables II and III, of which the seasonal pack is completed in 1943, the report shall be filed within fifteen days of the completion thereof and shall not be limited to the year 1942 as indicated in the caption of said Form PD-343.

(e) Effective date. This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February 1943

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

TABLE I—PRIMARY PRODUCTS

NOTE: The quota of any product listed in Column A to be set aside by any canner for the Government shall be equal to the percentage shown in Column B applied to his total 1942 pack of that product.

A	B	C	D	Grade		
				First preference	Second preference	Third preference
Canned fruits and vegetables	Percentage of 1942 pack	Description	Can sizes preferred in order listed			
Fruit cocktail	40		10-2½-2	Choice	Fancy	
Peaches ²	38	Clings, freestone; halves, sliced.	10-2½-2	Choice	Top std. clings only. ¹	Fancy.
Pears	40	Bartlett halves	10-2½-2	Choice	Top std. ¹	Standard.
Asparagus	30	Culturally bleached all green.	10-2	Fancy cut	Fancy spear	
Beans, Lima	35	Fresh	10-2	Ext. std	Fancy green	Std. fresh white.
Beans, string	35	Cut-green, wax; round, flat.	10-2	Ext. std	Top std. ¹	Fancy.
Corn, sweet	35	Yellow-white; cream style. Whole kernel.	#2 full inside enamel—Cream style and whole kernel; #10—full inside enamel—Whole kernel only.	Ext. std	Fancy	Standard.
Peas	35	Alaska's, 3, 4, sieve, sweets, 3 sieve and larger, ungraded.	10-2	Ext. std	Top std. ¹	Fancy.
Tomatoes	35		10-2½-2	Ext. std		
Tomato catsup	38		10-14 oz. glass and larger.	Fancy	Top std. ¹	Fancy.
Tomato juice	17		10-3 cyl. (404 x 700).	Fancy		

¹ Supra.¹ Top Standard means 70-74 inclusive as defined in terms of U. S. Grades.² Except Freestone Peaches packed in California. (See Table II.)

TABLE II—SECONDARY PRODUCTS

NOTE: The use of tinplate in packing these products is restricted by Conservation Order No. M-81 as it may be amended from time to time. The quota to be set aside for the Government will be equal to the percentage shown in Column B below applied to the maximum production permitted by Order M-81. If actual production is less than the quota, the entire pack of the particular product shall be set aside.

A	B	C	D	E	F	G
Canned fruits and vegetables	Percent-age as defined above	Description	Can sizes preferred in order listed	Grade		
				First preference	Second preference	Third preference
Apples ³	100	Heavy pack	10	Standard		
Applesauce ³	60	Fresh	10-2	Fancy		
Apricots	75	Halves unpeeled	10-2½	Choice		
Cherries RSP	44	Red pitted (water pack)	10-2	Standard		
Cherries, sweet	50	Light, dark pitted, unpitted	10-2½-2	Choice	Top Std. ¹	Fancy
Peaches	26	Freestone (Cai. only) halves—sliced	10-2½-2	Choice	Top Std. ¹	Fancy
Pineapple	34	Sliced, crushed, tidbits (except salad and cocktail tidbits), chunks	10-2½-2	Fancy	Fancy	Standard
Pineapple juice	14		10-3 cyl. (404 x 700) 2½-2	Fancy		
Prunes, fresh	50	Italian	10-2½-2	Choice		
Beets	100	Cut-quartered sliced-diced	10-2½-2	Fancy	Fancy	Top Std. ²
Carrots	100	Diced	10-2½-2	Fancy	Top Std. ²	
Pumpkin	72		2½	Fancy	Top Std. ²	
Spinach	58		10-2½-2	Fancy	Top Std. ²	

¹ Top standard means 70-74 inclusive as defined in terms of U. S. Grades.

² Top standard means 80-84 inclusive as defined in terms of U. S. Grades.

³ 1942-1943 seasonal pack.

TABLE III—CANNED CITRUS PRODUCTS¹

NOTE: The quota to be set aside for Governmental purchase from a canner's production during the quota period of any product listed in Column A shall be computed by applying the percentage in Column B against the canner's total production, by weight, of that product in the base period. The quota period shall be August 1, 1942 to July 31, 1943, in Florida, Texas and Arizona, and December 1, 1942 to November 30, 1943 in California. The base period shall be the corresponding period one year prior to the quota period.

A	B	C	D	E	F	G
Product	Percent of 1941-42 pack	Type, style, variety	Can sizes (sequence denotes preference)	Grade		
				First preference	Second preference	Third preference
Grapefruit	19	Segments	2	Fancy		
Grapefruit juice	48	Sweetened or unsweetened	10-3 cyl. 2	Fancy	Choice	Standard
Orange juice	21	Sweetened or unsweetened	10-3 cyl. 2	Fancy	Standard	
Orange and grapefruit juice blended	100	Sweetened or unsweetened	10-3 cyl. 2	Fancy	Standard	

¹ Added.

SPECIFICATIONS FOR BOXES

1. **Weatherproof solid fiber boxes.** Weatherproof solid fiber boxes must be of one piece regular slotted construction, metal stitched body joint; construction in accordance with the following table:

Total weight (exclusive of box)	Minimum thickness of board (inch)	Minimum bursting strength (pounds)
Not exceeding 42 lbs	0.090	325
Over 42 lbs., but not exceeding 65 lbs.	.100	375

Boards shall further comply with the following waterproofing tests: Specimens 6" x 10", cut from unscored sections of boxes, shall be completely immersed in water for one hour, after which the component plies must not separate beyond 2" from the edges of the piece; after total immersion for 2½ hours similar samples must test not less than 50% of the originally specified bursting strength, and must weigh not more than 150% of the weight before immersion.

Bottom flaps shall be metal stitched, to the extent the canner's facilities permit, otherwise bottom flaps shall be securely sealed by gluing over all areas in contact; top flaps shall be sealed by gluing over all areas in contact. The sealed boxes shall be reinforced by two flat or round steel straps each having a joint or knot breaking strength of not less than 290 lbs., applied at right angles (over sides, top, and bottom, and over ends, top, and bottom), toward centers of respective panels, but over points of contact of cans with wall of box. Box-maker shall print or clearly mark by knurled impressions which do not impair the strength of the board, approximately ¾" wide, to indicate the position of the strapping, and shall print a guarantee of compliance with this specification.

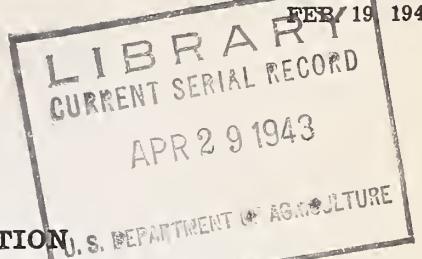
2. **Wirebound wood boxes.** Shall comply with Federal Specification NN-B-631a, except as follows: Styles 1, 2, or 3 boxes, or boxes with twisted loop closures, may be used. Veneer or sawed boards, of the following thicknesses, shall be used:

Total weight (exclusive of box)	Minimum thickness of sides, top, bottom, ends, and liners		
	Group I woods (see note 1) (inch)	Group II and group III woods (inch)	Group IV woods (inch)
Not exceeding 55 lbs	5/16	9/16	9/32
Over 55 lbs., but not exceeding 75 lbs	3/4	13/16	13/32
Over 75 lbs., but not exceeding 100 lbs	3/4	13/16	5/16
NOTE 1: The following species of Group I may be of the same thickness permitted for Group II or III woods for sides, top, bottom, end and liners only: Cottonwood, Cypress, Magnolia, Noble Fir and Spruce.			
Cleats shall not be less than 13/16" x 13/16" and shall be made of Group II, III or IV woods.			
Binding wires shall be not less than No. 15 gauge (.072" diameter). Girth wires shall be spaced not more than 6" apart. End wires on Style No. 3 boxes shall be spaced not more than 6" from cleats or from each other.			
Style No. 3 boxes shall have 2 edge liners not less than 1 1/8" wide attached to each end perpendicular to (across) the grain of the end boards.			
Boxes shall be printed with the name and address of the manufacturer and a guarantee of compliance with this specification.			
3. Nailed wooden boxes. Boxes shall be made of new materials and of good commercial quality. All boxes shall be made of seasoned lumber having a moisture content not to exceed 18%. The pieces shall show no defects that materially weaken them, expose the contents of the box to damage or interfere with nailing. No knot or knot hole shall have a diameter exceeding one-third the width of the piece. Surfaces of box parts shall be sufficiently smooth to permit legible stenciling and shall not be splintery. Boxes for weights not exceeding 75 lbs. shall be Style 1, Federal Specification NN-B-621a. Boxes for weights exceeding 75 lbs. shall be Style 5 with triangular cleats for round or oval cans and Style 4 for square and oblong cans. (Thickness of parts of boxes)			
Total weight (exclusive of box)	Minimum finished thickness of ends	Group I or II woods (inch)	Group III or IV woods (inch)
		Group III or IV woods (inch)	Group III or IV woods (inch)
Not exceeding 55 lbs	5/8	9/16	9/32
Over 55 lbs., but not exceeding 75 lbs	3/4	13/16	13/32
Over 75 lbs., but not exceeding 100 lbs	3/4	13/16	5/16
Each side, top and bottom shall be nailed to each end piece with not less than four six-penny cement coated box nails for Groups I and II woods, or four five-penny cement coated box nails for Groups III and IV woods, spaced not more than three inches apart.			
Boxes shall be sized to allow approximately one-eighth inch over exact length, width and height of contents.			
The nailed boxes shall be reinforced by two flat or round steel straps, each having a joint or knot breaking strength of not less than 290 lbs., applied over sides, top and bottom, approximately 1/6 the distance from each end of box.			

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FEB 19 1943



FOOD DISTRIBUTION ADMINISTRATION
UNITED STATES DEPARTMENT OF AGRICULTURE

[FDO 22-2]

PART 1425—CANNED AND PROCESSED FOODS**CANNED FRUIT AND FRUIT JUICES**

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943 issued under the authority of Executive Order No. 9280, dated December 5, 1942 and to effectuate the purposes of those orders *It is hereby ordered*, As follows:

§ 1425.2 Quota restrictions and allocations of canned fruit and fruit juices—
(a) **Definitions.** When used in this order the terms as defined in Food Distribution Order 22¹, shall have the same meaning unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) **Quota restrictions.** Every canner of canned fruits and fruit juices shall set aside to be delivered for the requirements of Government agencies, a quota of canned fruits and fruit juices packed by him at any time in the calendar year 1943 or, when specified, in 1942-43. The quota to be set aside from a canner's pack of any product listed in Column A of Table I, attached hereto, packed during the quota period for that product, shall be computed by applying the percentage in Column B against the canner's total pack in the base period, including his pack both in metal and glass containers. If the type, style, variety or grade of any such fruits and fruit juices is described in Table I, such quota shall be in the type, style, variety and grade described, but other types, styles, varieties or grades shall be substituted to the extent that those specified in Table I are not packed. If a canner is preparing to pack during the quota period any fruits or fruit juices, listed in Table I, which he did not pack during the base period, and for which unlimited tinplate is available under § 1068.1, Conservation Order M-81², as amended³, he shall so advise the Director of Food Distribution by letter, stating the anticipated quantities to be packed, and shall set aside a quota de-

termined by applying the percentage set forth in Column B against the canner's total pack of the fruits or fruit juices glass only when the pack packed in tinplate is insufficient.

(c) **Definition of quota period.** With the exceptions hereinafter listed, the quota period is 1943. In case of grapefruit, grapefruit juice, orange juice, and of the quota, but preferably the entire orange juice and grapefruit juice quota, shall be set aside in the largest blended, the quota period is August 1, can size specified in Column G. The balance shall be reserved in the largest and Arizona, and December 1, 1942 to can sizes available in the order of preference specified in Column G.

(d) **Definition of base period.** The base period is in all cases the corresponding twelve-month period one year prior to the quota period.

(e) **Applicability of order.** Fruits and fruit juices not listed in Table I are not required to be set aside. Fruits and fruit juices packed in the Hawaiian Islands must be set aside as prescribed by this order, but this order does not apply to fruits and fruit juices packed in other territories and possessions of the United States.

(f) **Provisions applicable when whole pack not set aside for Government.** The following provisions apply whenever any product may be packed for nongovernmental requirements as well as for governmental requirements: To the extent that the canner's production of the first preference grade of such fruits and fruit juices specified in Column D is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside to issue specifications at any time from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column E to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column F to complete his quota. If a canner packs both in tinplate and glass, insofar as the above grade standards permit the quota shall

(g) **Reports.** The report prescribed by paragraph (c) (2) of Food Distribution Order No. 22, shall be given on Form PD-343, revised. The report shall be filed within fifteen days of the completion of the pack.

(h) **Purchase, inspection and specifications.** Until further notice, the Army of the United States is hereby allocated the quotas prescribed by this order, to purchase for its own account and the account of other government agencies named in paragraph (b) (3) of Food Distribution Order No. 22, whenever it has agreed with such other agencies to do so. The Army of the United States and the Food Distribution Administration in the Department of Agriculture are also authorized to inspect and grade such products pursuant to paragraph (d) of Food Distribution Order No. 22. The Army of the United States is also authorized to issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to paragraph (b) (5) of Food Distribution Order No. 22.

(i) **Effective date.** This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February 1943.

[SEAL] Roy F. HENDRICKSON,
Director of Distribution.

¹ *Supra*.

² 7 F.R. 10321.

³ 8 F.R. 228.

TABLE I—CANNED FRUITS AND FRUIT JUICES

A	B	C	D	E	F	G
Product	Percentage of base period pack	Type, style, variety (sequence does not denote preference)	Grade			Can sizes (sequence denotes preference)
			First prefer- ence	Second prefer- ence	Third prefer- ence	
Apples.....	63	Heavy pack.....	Standard.....	Faney.....	.....	10.
Applesauce.....	41	Fancy.....	Standard.....	.....	.....	10-2.
Apricots.....	60	Halved, unpeeled.....	Chioice.....	Standard..... (Faney not de- sired.)	Pie or water pack.....	10-2½.
Berries ?.....	50	.....	Water pack.....	.....	.....	10.
Blueberries.....	100	.....	Water pack.....	.....	.....	10.
Cherries, RSP.....	70	Red sour pitted (water pack).	Standard.....	.....	.....	10-2.
Cherries, sweet.....	65	Light or dark; (pitted or unpitted).	Chioice.....	Top standard ¹	Faney.....	10-2½-2.
Figs.....	100	Kadota.....	Chioice.....	Faney.....	.....	10.
Fruit cocktail.....	64	.....	Chioice.....	Fancy.....	.....	10-2½.
Grapefruit.....	19	Segments.....	Faney.....	Chioice.....	Broken.....	2.
Grapefruit juice.....	58	Sweetened, unsweet- ened.	Faney.....	Standard.....	.....	10-3 cyl.-2.
Orange juice..... (Florida.)	45	Sweetened, unsweet- ened.	Faney.....	Standard.....	.....	10-3 cyl.-2.
Orange juice..... (States other than Florida.)	21	Sweetened, unsweet- ened.	Faney.....	Standard.....	.....	10-3 cyl.-2.
Orange and grape- fruit juice blended.	100	Sweetened, unsweet- ened (50% orange) (50% grapefruit).	Faney.....	Standard.....	.....	10-3 cyl.-2.
Peaches.....	55	Yellow clingstone, halved or sliced.	Chioice.....	Top standard ¹.....	.....	10-2½.
		Freestone (except California), yellow, halved or sliced.	Chioice.....	Fancy.....	.....	10-2½.
Pears.....	60	Bartlett, halved.....	Chioice.....	Top standard ¹	Faney.....	10-2½.
Pineapple.....	70	Sliced, crushed, chunks, tidbits, (ex- cept cocktail tid- bits).	Faney.....	Standard.....	.....	10-2½.
Pineapple juice.....	37	.....	Fancy.....	.....	.....	10-3 cyl.-2.

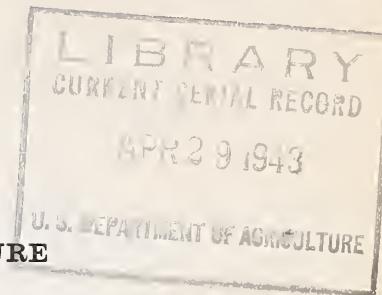
¹ Top standard means 70-74 inclusive as defined in terms of U. S. grade.² Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.

[F. R. Doc. 43-2765; Filed, February 19, 1943; 12:37 p. m.]

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933F

FDO 22-3

FEB. 19, 1943



FOOD DISTRIBUTION ADMINISTRATION
UNITED STATES DEPARTMENT OF AGRICULTURE

[FDO 22-3]

PART 1425—CANNED AND PROCESSED FOODS
CANNED VEGETABLES

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943 issued under the authority of Executive Order No. 9280, dated December 5, 1942 and to effectuate the purposes of those orders *It is hereby ordered*, As follows:

§ 1425.3 Quota restrictions and allocations of canned vegetables—(a) *Definitions.* When used in this order the terms as defined in Food Distribution Order 22,¹ shall have the same meaning unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Quota restrictions.* Every canner of canned vegetables shall set aside to be delivered for the requirements of Government agencies, a quota of canned vegetables packed by him at any time in the calendar year 1943 or, when specified, in 1942–43. The quota to be set aside from a canner's pack of any product listed in Column A of Table I, attached hereto, packed during the quota period for that product, shall be computed by applying the percentage in Column B against the canner's total pack in the base period, including his pack both in metal and glass containers. If the type, style, variety or grade of any such vegetables is described in Table I, such quota shall be in the type, style, variety and grade described, but other types, styles, varieties or grades shall be substituted to the extent that those specified in Table I are not packed. If a canner is preparing to pack during the quota period any vegetables, listed in Table I, which he did not pack during the base period, and for which unlimited tinplate is available under § 1068.1, Conservation Order M-81,² as amended,³ he shall so advise the Director of Food Distribution by letter, stating the anticipated quantities to

be packed, and shall set aside a quota determined by applying the percentage set forth in Column B against the canner's total pack of the vegetables in question during the quota period.

(c) *Definition of quota period.* The quota period is 1943.

(d) *Definition of base period.* The base period is in all cases the corresponding twelve-month period one year prior to the quota period.

(e) *Applicability of order.* Vegetables not listed in Table I are not required to be set aside. Vegetables packed in the Hawaiian Islands must be set aside as prescribed by this order, but this order does not apply to vegetables packed in other territories and possessions of the United States.

(f) *Provisions applicable when whole pack not set aside for Government.* The following provisions apply whenever any product may be packed for nongovernmental requirements as well as for governmental requirements: To the extent that the canner's production of the first preference grade of such vegetables specified in Column D is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column E to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column F to complete his quota. If a canner packs both in tinplate and glass, insofar as the above grade standards permit the quota shall be set aside from the part packed in tinplate, and from the part packed in glass only when the part packed in tinplate is insufficient.

To the extent possible and insofar as compliance with the above grade re-

quirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column G. The balance shall be reserved in the largest can sizes available in the order of preference specified in Column G.

(g) *Reports.* The report prescribed by paragraph (c) (2) of Food Distribution Order No. 22, shall be given on Form PD-343, revised. The report shall be filed within fifteen days of the completion of the pack.

(h) *Purchase, inspection and specifications.* Until further notice, the Army of the United States is hereby allocated the quotas prescribed by this order, to purchase for its own account and the account of other government agencies named in paragraph (b) (3) of Food Distribution Order No. 22, whenever it has agreed with such other agencies to do so. The Army of the United States and the Food Distribution Administration in the Department of Agriculture are also authorized to inspect and grade such canned foods pursuant to paragraph (d) of Food Distribution Order No. 22. The Army of the United States is also authorized to issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing and strapping of such canned foods pursuant to paragraph (b) (5) of Food Distribution Order No. 22.

(i) *Effective date.* This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February, 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

¹ *Supra.*

² 7 F.R. 10321.

³ 8 F.R. 228.

TABLE I—CANNED VEGETABLES

A	B	C	D	E	F	G
Product	Percentage of base period pack	Type, style, variety (sequence does not denote preference)	Grade			Can sizes (sequence denotes preference)
			First preference	Second prefer- ence	Third prefer- ence	
Asparagus	13	All green or culturally bleached.	Fancy cut	Fancy spear		10-2.
Beans, lima	37	Fresh	Extra standard	Fancy	Standard	10-2.
Beans, snap	38	Green, wax-cut	Extra standard	Top standard ²	Fancy	10-2½-2.
Beets	100	Cut, quartered, diced, sliced, whole 1½" diameter and under.	Fancy	Top standard ¹		10-2½-2.
Carrots	130	Diced	Fancy	Top standard ¹	Standard ex- cept for size (chips).	10-2½-2.
Corn, sweet ³	40	White, yellow-cream style, whole kernel.	Fancy	Extra standard	Top standard ²	10-2.
Peas	48	Alaska—3, 4, sieve; sweet—3 sieve and larger, ungraded.	Extra standard	Top standard ²	Fancy	10-2.
P u m p k i n o r squash	51		Fancy	Top standard ¹		2½.
Spinach	48		Fancy	Top standard ¹		10-2½.
Tomatoes	40		Extra standard	Top standard ²	Fancy	10-2½-2.
Tomato catsup	61		Fancy 29%–33% solids.	Fancy 33% sol- ids or over.	Fancy 25%– 29% solids.	10-3 cyl.— 2½-2; 14 oz. glass or larger.
Tomato juice	43		Fancy			10-3 cyl.-2.
Tomato puree	71	Heavy (minimum spe- cific gravity—1.045).	Fancy			10.
Tomato paste	40		Fancy			10-2½-2.

¹ Top Standard means 80–84 inclusive as defined in terms of U. S. grades.² Top Standard means 70–74 inclusive as defined in terms of U. S. grades.³ Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

[F. R. Doc. 43-2766; Filed, February 19, 1943; 12:36 p. m.]

MAY 18, 1943

JUN 17 1943

U. S. DEPARTMENT OF AGRICULTURE

WAR FOOD ADMINISTRATION

[FDO 22-4]

PART 1425—CANNED AND PROCESSED FOODS
CANNED VEGETABLES, CANNED FRUIT, AND
CANNED VEGETABLE AND FRUIT JUICES

Pursuant to the authority vested in me by Food Distribution Order No. 22 (8 F.R. 2243), issued by the Secretary of Agriculture of the United States on February 19, 1943, as amended, effective in accordance with the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and in order to effectuate the purposes of the aforesaid orders: *It is hereby ordered*, as follows:

§ 1425.6 Quota restrictions and allocations—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "quota period" means the calendar year of 1943: *Provided*, That in the case of grapefruit, grapefruit juice, orange juice, and orange juice and grapefruit juice blended, the quota period is August 1, 1942, to July 31, 1943, both dates inclusive, in Florida, Texas, and Arizona, and it is the period from December 1, 1942, to November 30, 1943, both dates inclusive, in California.

(2) The term "base period" means a corresponding twelve-month period one year prior to the quota period.

(3) Each term defined in Food Distribution Order No. 22, as amended, shall, when used herein, have the same meaning as set forth in said Food Distribution Order No. 22, as amended.

(b) *Quota restrictions.* Each canner of canned vegetables, canned fruit, or canned fruit or vegetable juices shall set aside, and thereafter hold for delivery to Government agencies, a quota of canned vegetables, canned fruits, and canned fruit or vegetable juices, respectively, packed by such canner at any time during the quota period. The quota to be set aside from each canner's pack of any product listed in Column A of Table 1, attached hereto and by this reference made a part hereof, packed during the quota period for the respective product, shall be computed by applying the percentage in Column D of said Table 1 against the respective canner's total pack during the base period, including his pack in metal and glass containers, respectively. If the type, style, variety, or grade of any such canned vegetables, canned fruit, or canned vegetable or fruit juices are described in the aforesaid Table 1,

such quota shall be in the type, style, variety, and grade so described; but other types, styles, varieties, or grades shall be substituted to the extent that those specified in said Table 1 are not packed. In the event a canner is preparing to pack, during the quota period, any canned vegetables, canned fruits, or canned vegetable or fruit juices, listed in said Table 1, which he did not pack during the base period, and for which unlimited tinplate is available under § 1068.1 of Conservation Order M-81 (7 F.R. 10321), as amended, issued by the War Production Board, such canner shall so inform the Director by letter, stating the anticipated quantities to be packed; and such canner shall set aside, and thereafter hold for delivery to Government agencies, a quota determined by applying the percentage set forth in Column D of said Table 1 against the canner's total pack of said canned vegetables, canned fruits, and canned vegetable or fruit juices, respectively, during the quota period.

(c) *Applicability of order.* Canned vegetables, canned fruits, and canned vegetable or fruit juices not listed in said Table 1 are not required to be set aside pursuant to the provisions hereof. Except with respect to canned pineapples or canned pineapple juice packed in the Territory of Hawaii, this order does not apply to canned vegetables, canned fruits, or canned vegetable or fruit juices packed in a territory or possession of the United States.

(d) *When whole pack not set aside for Government.* In the event a canner packs canned vegetables, canned fruits, or canned vegetable or fruit juices for nongovernmental requirements as well as for governmental requirements, to the extent that the respective canner's production of the first preference grade of such canned vegetables, canned fruits, and canned vegetable or fruit juices, respectively, specified in Column F of said Table 1, is sufficient, at least two-thirds of the quota for Government agencies shall be set aside from such grade; and to the extent that the quantity so set aside does not fill his quota for Government agencies, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column H of said Table 1, to complete his quota for Government agencies; and to the extent that the quantity so set aside out of the first and second preference grades, as aforesaid, do not fill his quota for Government agencies, the respective canner shall set aside sufficient of his production of the

third preference grade, if any, specified in Column H of said Table 1, to complete his quota for Government agencies. In the event a canner packs the same product in tinplate and glass, the canner's quota shall, insofar as the previously stated grade requirements permit, be set aside from the quantity packed in tinplate; and only in the event the quantity packed in tinplate is insufficient to comply with the quota requirements, in accordance with the previous grade requirements, a quantity packed in glass shall be set aside to enable the respective canner to comply with his quota requirements. To the extent possible and insofar as compliance with the previous grade requirements permits, at least two-thirds of the quota for Government agencies shall be set aside in the largest can size specified in Column I of Table 1, and the remainder, if any, of the quota shall be in the largest can sizes available, according to the order of preference specified in said Column I of Table 1, except that the quantities represented by the contingency reserve percentage shown in Column C in said Table 1 may, at the option of the canner, be packed in any can size permitted under the aforesaid Conservation Order M-81, as amended.

(e) *Reports.* The reports required by § 1425.1 (c) of Food Distribution Order No. 22, as amended, shall be submitted on Form PD-343, revised. The reports shall be submitted to the Director within 15 days after the completion of the pack. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(f) *Purchase, inspection, and specifications.* The Army of the United States is hereby allocated the quotas prescribed herein for Government agencies, and the Army may purchase said quotas for its own account or the account of other Government agencies whenever it has agreed with such agencies to do so. The Army of the United States and the Food Distribution Administration, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of Food Distribution Order No. 22, as amended. The Army of the United States is authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of Food Distribution Order No. 22, as amended.

(g) Previous orders by Director superseded. This order supersedes in all respects Director Food Distribution Order No. 22.1 (8 F.R. 2246), Director Food Distribution Order No. 22.2 (8 F.R. 2248), and Director Food Distribution Order No. 22.3 (8 F.R. 2249), previously issued by the Director of Food Distribution pursuant to Food Distribution Order No. 22, except that as to violations of any of

said orders previously issued or rights accrued, liabilities incurred, or appeals taken, under any of said orders, prior to the effective date hereof, the said previous orders, respectively, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(h) Effective date. This order shall be effective as of 12:01 a.m., e.w.t., May 20, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; F.D.O. No. 22, 8 F.R. 2243)

Issued this 18th day of May 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

TABLE I.—CANNED FRUITS, VEGETABLES, AND FRUIT AND VEGETABLE JUICES

A	B	C	D	E	F	G	H	I
Product	Percentage of base pack			Type, style variety (sequence does not denote preference)	Grade preferences			Can size (sequence denotes preference)
	Specific reserve	Contingency reserve	Total (Cols. B & C)		First	Second	Third	
Apples.....	52	8	60	Heavy pack.....	Standard.....	Fancy.....		10,
Applesauce.....	16	2	18		Fancy.....	Standard.....	Pie or water pack.....	10-2,
Apricots.....	50	7	57	Halved, unpeeled.....	Choice.....	Standard (Fancy not desired). ¹		10-2½,
Berries ²	29	4	33		Water pack.....	(2) ²		10,
Blueberries.....	42	5	47		Water pack.....	(2) ²		10,
Cherries, R.S.P.....	34	5	39	Water pack.....	Standard.....			10-2,
Figs.....	75	11	86	Kadota.....	Choice.....	Fancy.....		10,
Fruit Cocktail.....	51	7	58		Choice.....	Fancy.....	Broken.....	10-2½,
Grapefruit.....	19		19	Segments.....	Fancy.....	Choice.....		2,
Grapefruit juice.....	58		58	Sweetened, or unsweetened.....	Fancy.....	Standard.....		10-3 cyl.-2.
Orange juice (Florida).....	45		45	Sweetened, or unsweetened.....	Fancy.....	Standard.....		10-3 cyl.-2.
Orange juice (States other than Florida).....	21		21	Sweetened, or unsweetened.....	Fancy.....	Standard.....		10-3 cyl.-2.
Orange and grapefruit juice blended.....	100		100	Sweetened, unsweetened (50% orange) (50% grapefruit).....	Fancy.....	Standard.....		10-3 cyl.-2.
Peaches.....	41	6	47	Yellow clingstone halved or sliced.....	Choice.....	Top Std. ³		10-2½,
				halved or sliced.	Choice.....	Fancy.....		10-2½,
Pears.....	53	7	60	Bartlett, halved.....	Choice.....	Top Std. ³		10-2½,
Pineapple.....	44	6	50	Sliced, crushed, chunks, tidbits (except cocktail tidbits).	Fancy.....	Choice.....		10-2½,
Pineapple juice.....	22	3	25	All green or culturally bleached.....	Fancy.....	Fancy spear.....		10-3 cyl.-2.
Asparagus.....	32	6	38	Fresh.....	Fancy cut.....	Standard.....		10-2,
Beans, lima.....	37	7	44		Extra standard.....	Fancy.....		10-2,
Beans, snap.....	21	4	25	Green, wax-cut.....	Extra standard.....	Top standard ³		10-2½-2,
Beets.....	33	6	39	Cut, quartered, diced, sliced.....	Fancy.....	Top standard ⁴		10-2½-2,
Carrots.....	49	9	58	Diced.....	Fancy.....	Top standard ⁴		10-2½-2,
Corn, sweet ⁵	23	5	28	White yellow-cream style, whole kernel.....	Fancy.....	Extra standard.....		10-2,
Peas.....	20	3	23	Alaska-3, 4, sieve; sweet-3 sieve and larger, ungraded.	Extra standard.....	Top standard ³		Fancy..... 10-2,
Pumpkin or squash.....	20	4	24		Fancy.....	Top standard ⁴		2½,
Spinach.....	35	6	41		Fancy.....	Top standard ⁴		10-2½,
Tomatoes.....	24	4	28		Extra standard.....	Top standard ³		10-2½-2,
Tomato catsup.....	47	9	56		Fancy 29-33% solids.....	Fancy 25%-29% solids.		10-3 cyl. 2½; 14 oz. glass or larger.
Tomato juice.....	36	7	43	Heavy (minimum specific gravity—1.045).	Fancy.....			10-3 cyl.-2.
Tomato puree.....	25	4	29		Fancy.....			10.
Tomato paste.....	26	4	30		Fancy.....			10-2½-2.

¹ Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.

² Syrup pack not desired.

³ Top standard means 70-74 inclusive as defined in terms of U. S. grades.

⁴ Top standard means 80-84 inclusive as defined in terms of U. S. grades.

⁵ Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

Press Release Immediate:
Wednesday May 19, 1943.

The War Food Administration today sharply reduced the quantities of canned fruits and vegetables that canners must set aside from the 1943 production for Government requirements.

These reductions in the quantities that must be set aside during the approaching packing season amount to approximately 7 million cases of canned fruits and juices, and 23 million cases of canned vegetables under the quantities previously established. The reductions principally are for corn, peas, spinach,

tomatoes, snap beans, fruit cocktail, sweet cherries, peaches, pineapple, and pineapple juice.

While it is too early to determine accurately the total quantity of canned fruits and vegetables that will be produced in 1943, War Food Administration officials pointed out that the reduction in the quantities to be set aside for the Government will mean a net gain for civilians of 30 million cases above what they otherwise would have received from the 1943 pack.

Since the size of 1943 production is not known, current point values for canned fruits, vegetables and juices are

not immediately affected by the change in Government requirements. Point values are determined primarily by actual, and not prospective, civilian supplies.

Changes in the set-aside percentages were effected through the issuing of Director Food Distribution Order 22.4, which combines and supersedes Director Food Distribution Orders 22.1, 22.2, and 22.3. This new order specifies the quantities of each canned fruit and vegetable product that must be reserved from 1943 production to meet Government requirements, including those of the Armed Forces, Lend-Lease Red Cross, Territo-

rial Emergency programs, and other needs.

Smaller set-aside percentages were possible through (1) Adjusted Government requirements, in view of other types of processed foods not available in 1942 but which will be available in 1943. These include frozen and dehydrated vegetables and the fresh and processed foods which will be produced at overseas points. (2) Final compilation of 1942 production figures which are the basis for the set-aside percentages from the 1943 pack. The fact that 1942 packs were larger than estimated on February 19 when the order was originally issued enabled the percentages to be decreased in some cases.

Most of the new set-aside percentages include contingency reserves—ranging from 2 to 11 percent on the various products—which must be held by canners to assure a supply of canned foods for any emergency requirements. This reserve avoids the necessity of the Government's purchasing such a reserve unless it is found to be needed, and permits the release of unrequired canned food into normal channels of distribution.

It will not be known until after the end of the 1943 pack whether these contingency reserves can be made available for civilians. While it is not provided in the order, WFA officials explained

that within 90 days following notice by the canner, to the War Food Administration that he has completed his 1943 pack, he will be notified whether the reserve will be purchased by the Government or made available for civilian consumption.

Concurrently, the War Food Administration announced that canners will be permitted to pack for civilians some canned fruits and vegetables which formerly were restricted only to Government requirements under terms of WPB Conservation Order M-81. These include such products as apples, applesauce, blueberries, beets, carrots, and pumpkin.

Since processors already have contracted for acreage to meet the previously-announced Government requirements of these foods, they will be permitted, through a subsequent amendment to order M-81, to pack these original quantities. The difference between the old and new set-aside percentages will be available for civilians.

The percentages which canners are required to set aside from their 1943 pack (based on their actual 1942 production) were reduced on 11 of the 17 fruits and fruit juices and on 12 of the 14 vegetable products covered by the order. Comparison of the old and new percentages are included in the following table.

1942 PRODUCTION, NEW AND OLD RESERVATION PERCENTAGES

Canned product	1942 production (millions of cases; No. 2½ cans for fruits; No. 2 cans for vegetables) ¹	Reservation percentages, based on 1942 production			
		Basic percentage	Contingency percentage	Total reservation percentage	Previous reservation percentage
Apples	3.8	52	8	60	63
Applesauce	3.5	16	2	18	41
Apricots	3.2	50	7	57	60
Blueberries	.3	42	5	47	100
Berries ²	.7	29	4	33	50
Cherries, sour	2.5	34	5	39	70
Figs (Kadota)	.7	75	11	86	100
Fruit cocktail	5.6	51	7	58	64
Peaches	15.0	41	6	47	55
Pears (Bartlett)	5.8	53	7	60	60
Pineapple	9.0	44	6	50	70
Pineapple juice	6.2	22	3	25	37
Orange juice, Florida	2.3	45	-----	45	45
Orange juice, other	.8	21	-----	21	21
Blended citrus juice	1.6	100	-----	100	100
Grapefruit juice	9.0	58	-----	58	58
Grapefruit segments	3.2	19	-----	19	19
Asparagus	4.3	32	6	38	43
Lima beans	2.6	37	7	44	37
String beans	24.0	21	4	25	38
Beets	7.0	33	6	39	100
Carrots	2.3	49	9	58	130
Sweet corn	32.0	23	5	28	40
Peas	36.0	20	3	23	48
Pumpkin and squash	2.2	20	4	24	51
Spinach	9.5	35	6	41	48
Tomatoes	41.0	24	4	28	40
Tomato catsup	9.0	47	9	56	61
Tomato juice	25.2	36	7	43	43
Tomato puree	5.0	25	4	29	71
Tomato paste	3.4	26	4	30	40

¹ Pack figures used in calculating set aside percentages under order.

² Blackberries, boysenberries, loganberries and youngberries.

WAR FOOD ADMINISTRATION
Food Distribution Administration
Washington 25, D. C.

SPECIAL NOTICE

Due to Printers error in FDO 22.4 Amendment 1, part of table one was omitted.

Please destroy the first copy sent you. Corrected copy attached.

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DEPARTMENT OF AGRICULTURE

FDO 22-4

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AUGUST 19, 1943

WAR FOOD ADMINISTRATION

[FDO 22-4, Amdt. 1]

PART 1425—CANNED AND PROCESSED FOODS

CANNED VEGETABLES, CANNED FRUIT, AND
CANNED VEGETABLE AND FRUIT JUICES RE-
QUIRED TO BE SET ASIDE

Director Food Distribution Order 22-4, § 1425.6, issued by the Director of Food Distribution, War Food Administration, on May 18, 1943 (8 F.R. 6573), is amended by deleting Table 1 attached

thereto and inserting in lieu thereof Table 1 attached hereto.

The provisions hereof shall be effective as of 12:01 a.m., e. w. t., August 11, 1943. With respect to violations of said Food Distribution Order 22-4, rights accrued, or liabilities incurred prior to the effective time hereof, said Food Distribution Order 22-4 shall be deemed to be in full force and effect for the purpose of sustaining any proper

suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; F.D.O. 22, 8 F.R. 2243)

Issued this 19th day of August 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

TABLE 1—CANNED FRUITS, VEGETABLES, AND FRUIT AND VEGETABLE JUICES

A	B	C	D	E	F	G	H	I
Product	Percentage of base pack			Type, style variety (sequence does not denote preference)	Grade preferences			Can size (sequence denotes preference)
	Specific reserve	Contingency reserve	Total (cols. B & C)		First	Second	Third	
Apples.....	42	8	50	Heavy pack.	Standard	Fancy	Pie or water pack	10. 10-2-½.
Apricots.....	50	7	57	Halved, unpeeled.	Choice	Standard (fancy not desired).		
Berries ¹	29	4	33		Water pack	(?)		10.
Blueberries.....	42	5	47		Water pack	(?)		10.
Cherries, RSP.....	34	5	39	Water pack	Standard			10-2.
Figs.....	75	11	86	Kadota	Choice	Fancy		10.
Fruit cocktail.....	30	10	40	Segments	Choice	Fancy	Broken	10-2-½. 2.
Grapefruit.....	19		19	Sweetened, or unsweetened	Choice	Standard		10-3 cyl.-2.
Grapefruit juice.....	58		58	Sweetened, or unsweetened	Fancy	Standard		10-3 cyl.-2.
Orange juice (Florida).....	45		45	Sweetened, or unsweetened	Fancy	Standard		10-3 cyl.-2.
Orange juice (States other than Florida).....	21		21	Sweetened, or unsweetened	Fancy	Standard		
Orange and grapefruit juice blended.....	100		100	Sweetened, unsweetened (50% orange) (50% grapefruit).	Fancy	Standard		10-3 cyl.-2.
Peaches.....	41	6	47	Yellow, clingstone halved or sliced.	Choice	Top Std. ³		10-2-½. 10-2-½.
				Freestone yellow—halved or sliced.	Choice	Fancy		
Pears.....	53	7	60	Bartlett, halved.	Choice	Top Std. ³	Fancy	10-2-½. 10-2-½.
Pineapple.....	44	6	50	Sliced, crushed, chunks, tidbits, (except cocktail tidbits).	Fancy	Choice		
Pineapple juice.....	22	3	25	All green or culturally bleached.	Fancy			10-3 cyl.-2.
Asparagus.....	32	6	38	Fresh	Fancy cut	Fancy spear		10-2.
Beans, lima.....	21	7	28		Extra standard	Top standard ³	Fancy	10-2.
Beans, snap.....	21	4	25	Green, wax-cut	Extra standard	Top standard ³	Fancy	10-2-½-2.
Beets.....	20	6	26	Cut, quartered, diced, sliced	Fancy	Top standard ⁴		10-2-½-2.
Carrots.....	49	9	58	Diced	Fancy	Top standard ⁴		10-2-½-2.
Corn, sweet ⁵	15	5	20	White, yellow-cream style, whole kernel.	Fancy or Extra Std.	Top standard ³		10-2.
Peas.....	20	3	23	Alaska—3-4, sieve; sweet—3 sieve and larger, ungraded.	Extra standard	Top standard	Fancy	10-2.
Pumpkin or squash.....	11	4	15		Fancy	Top standard ⁴		2-½.
Spinach.....	35	6	41		Fancy	Top standard ⁴		10-2-½-2.
Tomatoes.....	24	4	28		Extra standard	Top standard ³	Fancy	10-2-½-2.
Tomato catsup.....	47	9	56		Fancy 29-33% solids	Fancy 33% solids or over.	Fancy 25-29% solids	10-3 cyl.-2-½-14 oz glass or larger.
Tomato juice.....	36	7	43	Heavy (minimum specific gravity—1.045).	Fancy			10-3 cyl.-2.
Tomato puree.....	17	4	21		Fancy			10
Tomato paste.....	26	4	30		Fancy			10-2-½-2.

¹ Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.

² Syrup pack not desired.

³ Top standard means 70-74 inclusive as defined in terms of U. S. grades.

⁴ Top standard means 80-84 inclusive as defined in terms of U. S. grades.

⁵ Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

Press Release Immediate:
Friday, August 20, 1943.

The War Food Administration—under the recently announced amendment to Director Food Distribution Order 22-4, which reduced set-aside percentages on 8 canned fruits and vegetables—says that processors may can and sell to the Government freestone peaches or cling-

stone varieties to meet set-aside quotas. Previously excluding California freestone peaches, the set aside quota is broadened, through the amendment, to include all yellow peaches.

Grade preferences also are changed for corn and lima beans, the WFA indicating quantities must be set aside in this order: corn—(1) fancy or extra standard (2) top standard; lima beans—(1)

extra standard (2) top standard, and (3) fancy.

The WFA pointed out that the Government plans to buy all the canned food set aside under the specific reserves announced for these foods. The Government's requirements concerning the contingency reserve percentages will not be known until the end of the packing season.

The eight canned fruits and vegetables, from which canners are required to set aside certain percentages from 1943 production to meet Government requirements, are: apples, fruit cocktail, beets, sweet corn, pumpkin or squash, lima beans, and tomato puree. The

amendment excludes applesauce from the order. Canners no longer are required to set aside quantities of this commodity.

The reductions, made possible in view of revised estimates on the overall Government requirements for these foods,

will lower Government purchases by approximately 6½ million cases.

The following table shows the old and new reservation percentages for the 8 products, with the additional quantity to be available to civilians through the reduction:

OLD AND NEW SET-ASIDE PERCENTAGES

Product	Previous set-aside percentages as of 1942 pack			New set-aside percentages to be established, as of 1942 pack			Additional quantity to be available to civilians (mil. cases)
	Basic	Conting- ency	Total	Basic	Conting- ency	Total	
Apples.....	52	8	60	42	8	50	.4
Applesauce.....	16	2	18				.6
Fruit cocktail.....	51	7	58	30	10	40	1.0
Beets.....	33	6	39	20	6	26	.9
Lima beans.....	37	7	44	21	7	28	.4
Sweet corn.....	23	5	28	15	5	20	2.7
Pumpkin or squash.....	20	4	24	11	4	15	.2
Tomato puree.....	25	4	29	17	4	21	.4

NOTE: Contingency reserves will be unchanged for these products except that for fruit cocktail, which was changed from 7 to 10 percent.

WAR FOOD ADMINISTRATION
Food Distribution Administration
Washington 25, D. C.

CORRECTION NOTICE - FDO-22.5

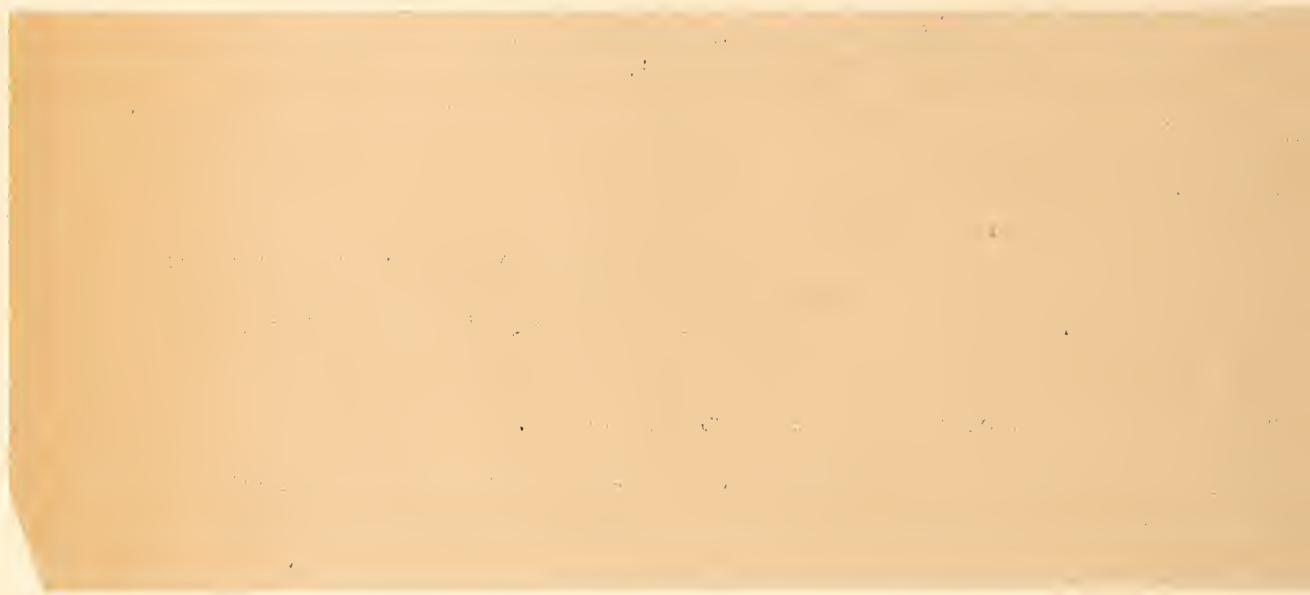
"Canned and Processed Foods"

In printing Food Distribution Order No. 22.5 the following errors occurred:

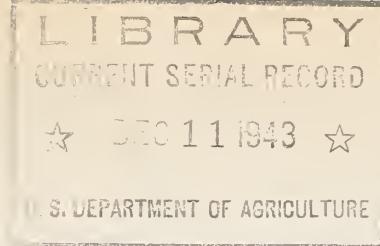
Under Section 1425.7 number (1) was omitted preceding "The term "quota period."

Paragraph (e) "Form PD-543" should read "Form FD-343."

In Table 1 (A) the last listing should read "Orange juice and Grapefruit juice blended."



733 F



FDO 22-5

NOV. 26, 1943

WAR FOOD ADMINISTRATION

A

[FDO 22-5]

**PART 1425—CANNED AND PROCESSED FOODS
CANNED CITRUS FRUIT AND CANNED CITRUS
FRUIT JUICES**

Pursuant to the authority vested in me by Food Distribution Order No. 22, issued by the Secretary of Agriculture on February 19, 1943, as amended (8 F.R. 2243, 6397), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1425.7 Quota restrictions and allocations—(a) *Definitions.*—When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

The term "quota period" means the period from December 1, 1943 to November 30, 1944, both dates inclusive, in California; and the period from August 1, 1943, to July 31, 1944, both dates inclusive, in states other than California.

(2) The term "base period" means (i) with respect to grapefruit segments, orange juice, and orange juice and grapefruit juice blended, packed in the State of California, the period commencing on December 1, 1941, and ending on November 30, 1942; and with respect to grapefruit segments, orange juice, and orange juice and grapefruit juice blended, packed in states other than California, the period commencing on August 1, 1941, and ending on July 31, 1942; (ii) with respect to grapefruit juice packed in the State of California, the period commencing on December 1, 1942, and ending on November 30, 1943; and with respect to grapefruit juice packed in states other than California, the period commencing on August 1, 1942, and ending on July 31, 1943.

(3) The term "canned citrus fruit and canned citrus fruit juices" means the canned citrus fruit and canned citrus fruit juices listed in Column A of Table 1, attached hereto and by this reference made a part hereof.

(4) Each term defined in Food Distribution Order No. 22, as amended, shall, when used herein, have the same meaning as set forth in said Food Distribution Order No. 22, as amended.

(b) *Quota restrictions.* Each canner of canned citrus fruit and canned citrus fruit juices shall set aside, in the manner and quantities hereinafter specified, and

thereafter hold for delivery to Government agencies, canned citrus fruit and canned citrus fruit juices, respectively, packed by such canner at any time during the quota period. The quantity of canned citrus fruit and canned citrus fruit juices to be set aside from each canner's pack of each such product packed during the quota period, shall be computed by applying the percentage in Column B of said Table 1 against the respective canner's total pack of the respective product, during the base period, including his pack in metal and glass containers. If the type, style, variety, and grade of any such canned citrus fruit or canned citrus fruit juice are specified in said Table 1, such commodities shall be in the type, style, variety, and grade so specified; but other types, styles, varieties, and grades shall be substituted to the extent that those specified in said Table 1 are not packed. In the event a canner is preparing to pack, during the quota period, any canned citrus fruit or canned citrus fruit juice listed in Column A of said Table 1, which he did not pack during the base period, and for which unlimited tinplate is available under § 1068.1 of Conservation Order M-81, issued by the War Production Board on February 11, 1942, as amended (7 F.R. 947, 10321, 8 F.R. 14455), such canner shall so inform the Director by letter, stating the anticipated quantities to be packed; and such canner shall set aside, and thereafter hold for delivery to Government agencies, a quantity determined by applying the percentage set forth in Column B of said Table 1 against the canner's total pack during the quota period of each such canned citrus fruit or canned citrus fruit juice, respectively.

(c) *Applicability of order.* Canned citrus fruit and canned citrus fruit juices not listed in said Table 1 are not required to be set aside pursuant to the provisions hereof. The provisions of this order shall apply only to canned citrus fruit and canned citrus fruit juices packed in any of the 48 States of the United States or the District of Columbia.

(d) *When whole pack not set aside for Government.* In the event the provisions hereof do not require a canner to set aside his entire pack of any canned citrus fruit or canned citrus fruit juice specified in Column A of said Table 1, and to the extent that the respective

canner's production of the first preference grade of any such canned citrus fruit or canned citrus fruit juice, respectively, specified in Column D of said Table 1, is sufficient, then, at least two-thirds of the quantity of such product required to be set aside for Government agencies shall be set aside from such grade; and the remainder of the quantity of such product required to be set aside by the respective canner shall be set aside from his production of the second preference grade, if any, specified in Column E of said Table 1, to the extent that his production of such second preference grade is sufficient; and to the extent that the quantity so set aside out of the first and second preference grades, as aforesaid, does not fill his quota for Government agencies, the respective canner shall set aside a sufficient portion of his production of the third preference grade, if any, specified in Column F of said Table 1, to complete his quota for Government agencies. In the event a canner packs the same product in tinplate and glass, such product set aside by the canner shall, insofar as the previously stated grade requirements permit, be set aside from the quantity packed in tinplate; and only in the event the quantity packed in tinplate is insufficient to comply with the set-aside requirements hereof, in accordance with the previous grade requirements, a quantity packed in glass shall be set aside to enable the respective canner to comply with such set-aside requirements. To the extent possible and insofar as compliance with the previous grade requirements permit, at least two-thirds of the quantity of canned citrus fruit and canned citrus fruit juices set aside for Government agencies shall be set aside in the largest can size specified in Column G of Table 1, and the remainder, if any, of such quantity shall be in the largest can sizes available, according to the order of preference specified in said Column g of Table 1.

(e) *Reports.* The reports required by § 1425.1 (c) of Food Distribution Order No. 22, as amended, shall be submitted on Form PD-543, revised. The reports shall be submitted to the Director within 15 days after the completion of the pack. (This reporting requirement has been approved by the Bureau of the Budget

in accordance with the Federal Reports Act of 1942.)

(f) *Purchase, inspection, and specifications.* The quantities of canned citrus fruit and canned citrus fruit juices set aside for Government agencies pursuant to the provisions hereof are hereby allocated to the Army of the United States, and the said Army may purchase such set aside commodities for its own account, or for the account of other Government agencies whenever it has agreed with such agencies to do so. The Army of the United States and the Food Distribution Administration, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of said Food Distribution Order No. 22, as amended. The Army of the United States is authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling,

boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of said Food Distribution Order No. 22, as amended.

(g) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., December 1, 1943.

(E.O. 9280 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9344, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 22, 8 F.R. 2243, 6397)

Issued this 26th day of November 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

TABLE I—CANNED CITRUS FRUIT AND CANNED CITRUS FRUIT JUICES

Product	Per-cent-age	Type, style, variety (sequence does not denote preference)	D	E	F	G
			Grade preferences			Can size (sequence denotes preference)
			First	Second	Third	
Grapefruit.....	55	Segments.....	Fancy	Choice	Broken	2
Grapefruit juice.....	32	Sweetened, or unsweetened.....	Fancy	Standard		10-3 cyl.-2
Orange juice.....	42	Sweetened or unsweetened.....	Fancy	Standard		10-3 cyl.-2
Orange juice.....		Sweetened, unsweetened (50% orange) (50% grapefruit).				
Grapefruit juice blended.....	60		Fancy	Standard		10-3 cyl.-2

War Food Administration
Summary to FDO 22.5

The quantities of canned citrus products that canners will be required to set aside from their 1943-44 pack to meet Government war needs are established in Food Distribution Order 22.5, effective December 1. The percentages are the same as announced by the War Food Administration on October 30, previous to issuance of the order.

Of an expected production of 20.5 million cases of canned grapefruit juice, Government requirements will total approximately 7.4 million cases. With regard to other canned citrus products (grapefruit segments, orange juice, and blended juice), only enough tin is allocated for the production of quantities to meet Government requirements, and the reservation is equivalent to the entire pack.

1943-44 SET-ASIDE PERCENTAGES AND NEEDED PRODUCTION

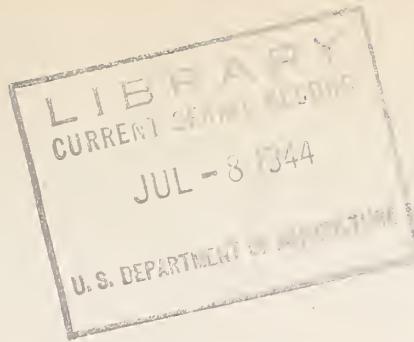
Canned product	Needed 1943-44 production	Government requirements	Set-aside percentages*
	<i>Cases</i>	<i>Cases</i>	
Grapefruit juice.....	20,500,000	7,400,000	32% of 1942-43 pack.
Grapefruit segments.....	2,500,000	2,500,000	55% of 1941-42 pack.
Orange juice, all states.....	1,900,000	1,900,000	42% of 1941-42 pack.
Blended citrus juice.....	1,400,000	1,400,000	60% of 1941-42 pack.

*Set-aside percentages from the 1943-44 pack are expressed in terms of the percent of production during specified base periods. The set-aside percentage for grapefruit juice is based on the 1942-43 pack while the percentages are computed against the 1941-42 pack for the other three products.

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FDO 22-5

AMDT. 1
FEB. 28, 1944



WAR FOOD ADMINISTRATION

[FDO 22-5, Amdt. 1]

PART 1425—CANNED AND PROCESSED FOODS

CANNED CITRUS FRUIT AND CANNED CITRUS FRUIT JUICES

Food Distribution Order No. 22-5 (8 F.R. 16097), issued by the Director of Food Distribution on November 26, 1943, is amended as follows:

1. By inserting "(1)" immediately to precede the first sentence of § 1425.7 (b).

2. By adding to § 1425.7 (b) thereof the following:

(2) In the event a canner does not pack, during the quota period, a quantity of any product designated in Column A of said Table 1 which is sufficient to meet the set-aside requirements for the respective product for such quota period, the respective canner shall be deemed to be in compliance with the set-aside provisions of this order with regard to the respective product if he sets aside the entire quantity of such product which is packed by him during the quota period.

(3) In lieu of setting aside a quantity of canned grapefruit juice equal to 38 percent of the total of grapefruit juice packed by a canner during the base period, any canner will be deemed to have met the set-aside requirements of this order with regard to canned grapefruit juice if he sets aside all grapefruit juice packed by him and which is in his possession on February 28, 1944, and all grapefruit juice packed by him subsequent to such date, and if the aggregate of such amount is not less than 32 percent of the total quantity of grapefruit juice packed by such person during the base period.

3. By deleting from Column B of Table 1 the figure "32" and inserting, in lieu thereof, the figure "38."

4. By deleting the provisions of § 1425.7 (e) and inserting, in lieu thereof, the following:

(e) Reports. The reports required by § 1425.1 (c) of Food Distribution Order No. 22, as amended, shall be submitted on Form FDA-685. The reports shall be

submitted to the Director within 15 days after the completion of the pack. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

This amendment shall become effective at 12:01 a. m., e. w. t., February 28, 1944. With respect to violations of Food Distribution Order No. 22-5, liabilities incurred, or appeals taken, prior to the effective time of this amendment, said Food Distribution Order No. 22-5 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 22, 8 F.R. 2243, 6397)

Issued this 28th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

War Food Administration

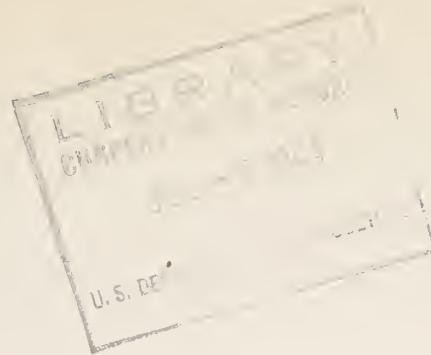
Summary to FDO 22.5 Amendment No. 1

Amendment 1 to Food Distribution Order 22.5, effective 12:01 a. m., e. w. t., February 28, 1944, requires processors to increase from 32 to 38 percent the quantity of canned grapefruit juice which they are required to set-aside for

purchase by Government agencies. Provision is made for exception with respect to the increased set-aside requirements in the event a canner is unable to meet such requirements because of insufficient stocks in his possession on the effective date of the amendment, and insufficient pack subsequent to that date.

The amendment also provides that in

the event a processor's total pack is smaller than the quantity which he is required to set-aside under FDO 22.5, the processor shall be deemed in compliance with the set-aside provisions of the order if he sets aside his total pack. This provision applies not only to grapefruit juice but to grapefruit segments, orange juice and blended citrus juice as well.

AMDT. 2
MAR. 16, 19441
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Sop. 2

WAR FOOD ADMINISTRATION

[FDO 22-5, Amdt. 2]

PART 1425—CANNED AND PROCESSED FOODS

CANNED CITRUS FRUIT AND CANNED CITRUS FRUIT JUICES

Food Distribution Order No. 22-5, issued by the Director of Food Distribution on November 26, 1943, as amended (8 F.R. 16097, 9 F.R. 2322), is further amended as follows:

1. By deleting from § 1425.7 (b) (3) the provisions thereof and inserting, in lieu thereof, the following:

(3) In lieu of setting aside a quantity of canned grapefruit juice equal to 41 percent of the total of grapefruit juice packed by a canner during the base period, any canner will be deemed to have met the set-aside requirements of this order with regard to canned grapefruit juice if he sets aside all grapefruit juice packed by him and which is in his possession on March 17, 1944, and all grapefruit

juice packed by him subsequent to such date, and if the aggregate of such amount is not less than 32 percent of the total quantity of grapefruit juice packed by such person during the base period.

2. By adding to § 1425.7 (b), at the end thereof, the following:

(4) In lieu of setting aside a quantity of canned orange juice equal to 48 percent of the total of orange juice packed by a canner during the base period, any canner will be deemed to have met the set-aside requirements of this order with regard to canned orange juice if he sets aside all orange juice packed by him and which is in his possession on March 17, 1944, and all orange juice packed by him subsequent to such date, and if the aggregate of such amount is not less than 42 percent of the total quantity of orange juice packed by such person during the base period.

3. By deleting from Column B of Table 1 the figures "38" and "42" and in-

serting, in lieu thereof, the figures "41" and "48," respectively.

This amendment shall become effective at 12:01 a.m., e. w. t., March 17, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said Food Distribution Order No. 22-5 prior to the effective time of this amendment, all of the provisions of the said Food Distribution Order No. 22-5 in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 22, 8 F.R. 2243, 6397)

Issued this 16th day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

War Food Administration
Summary to FDO 22.5, Amendment 2

Amendment 2 to Food Distribution Order 22.5, effective 12:01 a. m., e. w. t., March 17, 1944, requires processors to increase from 38 to 41 percent the

quantity of canned grapefruit juice and from 42 to 48 percent the quantity of canned orange juice which they are required to set-aside for purchase by Government agencies. Provision is made for exception with respect to the increased

set-aside requirements to the extent that a canner is unable to meet such requirements because of insufficient stocks in his possession on the effective date of the amendment, and insufficient pack subsequent to that date.

FEB. 11, 1944

WAR FOOD ADMINISTRATION

[FDO 22-6]

PART 1425—CANNED AND PROCESSED FOODS**CANNED VEGETABLES, CANNED FRUITS, CANNED
VEGETABLE JUICES, AND CANNED FRUIT
JUICES REQUIRED TO BE SET ASIDE DURING
1944**

Pursuant to the authority vested in me by Food Distribution Order No. 22, issued by the Secretary of Agriculture on February 19, 1943, as amended (8 F.R. 2243 and 6397), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1425.8 Quota restrictions and allocations—(a) **Definitions.** The definitions contained in Food Distribution Order No. 22, as amended, shall, when used herein, have the same meaning as set forth in Food Distribution Order No. 22, as amended; and when used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "quota period" means the period from January 1, 1944, to December 31, 1944, both inclusive.

(2) The term "base period" means the period from January 1, 1942, to December 31, 1943, both inclusive.

(3) The term "base pack" means, when applied to each canned food listed in column A of table 1 attached hereto and by this reference made a part of this order, one-half the total amount, by net weight, of all types, styles, varieties, and grades of such food canned by the respective canner or processor during the base period: **Provided**, That if the respective canner or processor canned any particular food listed in column A of table 1 during only one of the two calendar years of the base period, his base pack for that food shall be his total pack, by net weight, of such food during the said calendar year in which he canned the said food. In the event a canner or processor packed any product listed in column A of table 1 attached hereto during the base period at any plant which he does not operate during the quota period, there shall be deducted, in computing his base pack, the portion represented by his production at such plant during the base period. In the event a canner or processor packs any product listed in said column A of table 1 during the quota period at any plant which he did not operate during the base period, there shall be added, in computing his base pack, the proportionate quantity represented by the production, if any, of the person who

operated such plant during the base period.

(b) **Applicability of this order.** The terms and conditions of this order shall be applicable to (1) all canned vegetables, canned fruits, canned vegetable juices, and canned fruit juices listed in column A of table 1 which are packed during the quota period in any of the 48 States of the United States or the District of Columbia, and (2) all canned pineapple and canned pineapple juice which are packed during the quota period in the Territory of Hawaii.

(c) **Set-aside restrictions.** Each canner or processor who packs any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice covered under this order during the quota period shall, to the extent that the quantity so packed may be adequate, set aside and thereafter hold for sale and delivery to Government agency from his pack of each such product, for the quota period, a quantity equivalent to the quantity obtained by applying the percentage for the particular product listed in column D of table 1 against his base pack of that product. If the type, style, variety, or grade of the particular product is specified in the aforesaid table 1, the portion set aside shall, so far as available, be in the type, style, variety, and grade so specified; but other types, styles, varieties, or grades in the possession of a particular canner or processor as may be specified by the procuring Government agency shall be substituted to the extent that those specified in said table 1 have not been packed by such canner or processor. In the event a canner or processor is preparing to pack, during the quota period, any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice, listed in column A of said table 1, which he did not pack during the base period and for which unlimited tinplate is available under § 3270.31 of Conservation Order M-81, issued by the War Production Board on February 11, 1942, as amended (7 F.R. 947, 10321, 8 F.R. 14455, 9 F.R. 82), he shall so inform the Director by letter, and state therein the quantity of such product which he anticipates that he will pack; and such canner or processor shall set aside for sale and delivery to Government agency a portion of his pack of each such product for the quota period equivalent to the quantity obtained by applying the percentage for the particular product, listed in column D of table

1, against his total production of such product during the quota period.

(d) **When entire pack not set aside for Government agency.** (1) In the event a canner or processor packs any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice, listed in column A of table 1, for non-governmental requirements as well as for governmental requirements, the portion of each such product required to be set aside by him for Government agency shall be set aside as follows: (i) At least two-thirds of the set-aside portion, if it is available, shall be taken from the first preference grade of the canned product, as specified in column F of table 1, but, if the quantity of the said first preference grade which is available is not sufficient to meet that requirement, the total quantity of such first preference grade shall be set aside for Government agency; (ii) To the extent that the quantity set aside for Government agency from the first preference grade in accordance with the provisions of (i) above may fail to complete his set-aside quota, he shall set aside from his production of the second preference grade of the canned product, as specified in column G of table 1, such quantity to complete his set-aside quota as may be available, but, if the quantity of said second preference grade which is available is not sufficient to complete such set-aside quota, the total quantity of such second preference grade shall be set aside for Government agency; and (iii) To the extent that the quantities set aside for Government agency from the first and second preference grades in accordance with the provisions of (i) and (ii) above may fail to complete his set-aside quota, he shall set aside from his production of his third preference grade of the canned product, as specified in column H of table 1, sufficient of such quantity to complete his set-aside quota as may be available: **Provided**, That, if there is an insufficient quantity of all three preference grades to complete his set-aside quota, he shall set aside from such other grades in his possession as may be designated by Government agency sufficient of such quantity to complete his set-aside quota as may be available.

(2) In the event a canner or processor packs a canned product covered hereunder partly in tinplate containers and partly in glass containers, the portion to be set aside for Government agency from the several preference grades of such product in accordance with the provi-

sions of (d) (1) hereof shall be that which is packed in tinplate to the extent that such type of pack is available in the respective grades; and the particular product packed in glass containers shall be set aside from any such preference grade only in the event and to the extent necessary to meet any such deficiency when there is not enough of that product of that preference grade packed in tinplate to meet the set-aside requirements for such grade.

(3) Within the limits of, and subject to the restrictions, set forth in (d) (1) and (2) hereof, a minimum of one-half and a maximum of two-thirds (except with the consent of the particular procuring Government agency) of the quota of any canned product for Government agency shall be set aside in the largest can size specified for that product in column I of table 1 to the extent that the product packed in such largest can size is available in the respective preference grades, and the remainder, if any, of the set-aside quota for the canned product shall be in the other can sizes, if any, specified in said column I of table 1: *Provided*, That the portion of the set-aside quantity of the canned product

represented by the contingency reserve percentage for such product shown in column C of table 1 may, at the option of the particular canner or processor, be packed and set aside in any can size permitted under the aforesaid Conservation Order M-81, as amended.

(e) *Reports.* The reports required by § 1425.1 (c) of Food Distribution Order No. 22, as amended, shall be submitted on Form FDA-685. The reports shall be submitted to the Director within 15 days after the completion of the pack. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(f) *Purchase, inspection, and specifications.* The Army of the United States is hereby allocated the quotas prescribed herein for Government agency, and the Army may purchase said quotas for its own account or the account of other Government agencies whenever it has agreed with such agencies to do so. The Army of the United States and the Office of Distribution, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of Food Distribution Order No. 22, as amended.

The Army of the United States is authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of Food Distribution Order No. 22, as amended.

(g) *Provisions of Director Food Distribution Orders Nos. 22-4, as amended, and 22-5 not affected.* The provisions of this order shall not be considered as rescinding or modifying the provisions of Director Food Distribution Order No. 22-4, as amended (8 F.R. 6573 and 11590), or the provisions of Director Food Distribution Order No. 22-5 (8 F.R. 16097).

(h) *Effective date.* This order shall be effective as of 12:01 a.m., e. w. t., February 11, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3207; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO No. 22, as amended, 8 F.R. 2243 and 6397)

Issued this 11th day of February 1944.

LEE MARSHALL,
Director of Food Distribution.

TABLE 1—CANNED VEGETABLES, CANNED FRUITS, CANNED VEGETABLE JUICES, AND CANNED FRUIT JUICES

A	B	C	D	E	F	G	H	I
Product	Percentage of base pack			Type, style variety (sequence does not denote preference)	Grade preferences			Can size
	Specific reserve	Contingency reserve	Total (cols. B & C)		First	Second	Third	
Apples.....	68	7	75	Heavy pack.....	Standard.....	Fancy.....		10.
Applesauce.....	47	5	52	Fancy.....	Standard.....			10-2.
Apricots.....	63	7	70	Halved, unpeeled.....	Choice.....	Standard (fancy not desired).	Pic or water pack.....	10-2½.
Berries ¹	68	7	75	Water pack.....	Water pack.....	(2)		10.
Blueberries.....	68	7	75	Water pack.....	Water pack.....	(2)		10.
Cherries.....	68	7	75	Standard.....	Standard.....			10-2.
Figs.....	42	4	46	Kadota.....	Choice.....	Fancy.....		10-2½.
Fruit Cocktail.....	63	7	70	Choice.....	Choice.....	Fancy.....		10-2½.
Peaches	63	7	70	Yellow clingstone halved or sliced.....	Choice.....	Top std. ³		10-2.
				Freestone yellow halved or sliced.....	Fancy.....	Fancy.....		10-2½.
Pears.....	63	7	70	Bartlett, halved.....	Choice.....	Top std. ³	Fancy.....	10-2½.
Pineapple	63	7	70	Sliced, crushed, chunks, tidbits (except cocktail tidbits).	Fancy.....	Choice.....	Std.....	10-2½-2.
Pineapple Juice	65	7	72	All green or culturally bleached.....	Fancy.....			10-3, cyl-2.
Asparagus	48	5	53	Fancy cut.....	Fancy spear.....			10-2½-2.
Beans, lima	51	5	56	Fresh.....	Extra Std.....	Top Std. ³	Fancy.....	10-2.
Beans, snap	49	5	54	Green, wax-cut.....	Extra Std.....	Top Std. ³	Fancy.....	10-2½-2.
Beets	53	5	58	Cnt, quartered, diced, sliced.....	Fancy.....	Top Std. ³	Fancy.....	10-2½-2.
Carrots	143	7	150	Diced.....	Fancy.....	Top Std. ³		10-2½-2.
Corn, sweet ²	28	3	31	White, yellow-cream style, whole kernel.....	Fancy or extra Std.....	Top Std. ³		10-2.
Peas.....	37	4	41	Alaska 3, 4 sieve; sweet 3-sieve and larger, ungraded.....	Extra Std.....	Top Std.....	Fancy.....	10-2.
Pumpkin or squash.....	37	4	41		Fancy.....	Top Std. ⁴		2½.
Spinach.....	44	4	48		Fancy.....	Top Std. ⁴		10-2½-2.
Tomatoes.....	49	5	54		Extra Std.....	Top Std. ³	Fancy.....	10-2½-2.
Tomato catsup.....	51	5	56		Fancy 29-33% solids.....	Fancy 33% solids or over.....	Fancy 25-29% solids.....	10-3 cy. 12½-2. 14 oz. glass or larger.
Tomato juice.....	58	6	64		Fancy.....			10-3 cy. 2.
Tomato puree.....	25	3	28	Heavy (minimum specific gravity—1.045).	Fancy.....			10.
Tomato paste.....	23	3	26		Fancy.....			10-2½-2-6 oz.

¹ Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.

² Syrup pack not desired.

³ Top standard means 70-74 inclusive as defined in terms of U. S. grades.

⁴ Top standard means 80-84 inclusive as defined in terms of U. S. grades.

⁵ Full inside enamel cans required. Number 10 cans to be used for whole kernel only.